

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY)	MDL No. 1456
AVERAGE WHOLESALE PRICE)	
LITIGATION)	Master File No. 01-CV-12257-PBS
_____)	Hon. Patti B. Saris
THIS DOCUMENT RELATES TO:)	
)	Chief Mag. Judge Marianne B. Bowler
01-CV-12257-PBS AND 01-CV-339)	
)	
_____)	

**OXFORD HEALTH PLANS, LLC’S MOTION TO EXTEND THE TIME
TO RESPOND TO DEFENDANTS’ MOTION TO COMPEL**

Oxford Health Plans, LLC (“Oxford”), by and through its undersigned counsel, hereby moves this Court to extend until April 18, 2006 the time for Oxford to respond to Defendants’ Motion to Compel Oxford to produce documents and witnesses pursuant to a third-party subpoena. The grounds for this motion are set forth below:

1. Oxford is a relatively small health plan compared to many of the insurance companies and health plans nationwide from whom Defendants have pursued and obtained discovery. Oxford only has approximately 1.5 million members (principally in Connecticut, New Jersey and New York). Only a handful of Oxford’s members (less than 4,000) reside in Massachusetts.

2. Following receipt of Defendants’ subpoena, Oxford produced provider contracts, claims data for the drugs at issue in the lawsuit, and other materials requested by Defendants.

3. On March 17, 2006, Defendants filed a Motion to Compel additional information from Oxford.

4. On March 28, 2006 Oxford contacted Groom Law Group, Chartered (“Groom”) regarding the possibility of representing Oxford in connection with Defendants’ motion to compel.

5. Groom is in the process of obtaining the file from Oxford’s prior counsel. In the interim, Groom has conferred extensively with representatives of Oxford and also with Defendants’ counsel to try to discern what discovery Defendants are still seeking from Oxford and what information Oxford may be able to provide without undue burden.

6. Oxford requests an extension of time to respond to the motion to compel to April 18, 2006 so that Oxford’s new counsel (Groom) has an opportunity to review the matter and confer with Defendants’ counsel to determine whether the parties can reach an agreement regarding the additional discovery sought by Defendants.

WHEREFORE, the undersigned counsel respectfully move for an extension until April 18, 2006 to respond to Defendants’ Motion to Compel. A proposed order is attached.

Dated: April 4, 2006

Respectfully submitted,

MANCHEL & BRENNAN, P.C.

/s/ Julie B. Brennan
Julie B. Brennan (BBO # 564101)
199 Wells Avenue, Suite 301
Newton, Massachusetts 02459
Tel: (617) 796-8920
Fax: (617) 796-8921

and

Thomas F. Fitzgerald
Michael J. Prame
Lars C. Golumbic
GROOM LAW GROUP, CHARTERED
1701 Pennsylvania Avenue, NW
Washington, DC 20006
Tel: (202) 857-0620
Fax: (202) 659-4503

Attorneys for Oxford Health Plans, LLC

CERTIFICATE OF SERVICE

I certify that on April 4, 2006, a true and correct copy of the foregoing Motion to Extend the Time to Respond to Defendants' Motion to Compel, and Proposed Order were served on all counsel of record by electronic service pursuant to Case Management Order No. 2. A copy of the same was served on counsel for Patterson Belknap Webb & Tyler LLP by electronic service and also by first class mail.

/s/ Julie B. Brennan
Julie B. Brennan